

How Does Utah's LRBI Policy Compare With State Department Behavioral Intervention Standards Across The United States?

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State departments are



responsible for developing standards related to using disciplinary procedures with students who have disabilities. In the past, state departments have developed regulations on use of corporal punishment (Rose, 1983; Wood & Lakin, 1982), suspension, and expulsion (National Institute of Education, 1978; Toby & Scrupski, 1990). In recent years, departments have also developed ways to regulate use of aversive behavioral interventions (Morgan, Loosli, & Striefel, under review; Morgan, Striefel, Baer, & Percival, 1991). Aversive interventions are those that involve presentation of a stimulus following a behavior to decrease its occurrence, or removal of a stimulus to increase avoidance or escape behavior (Foxy, 1982). Many aversive interventions are considered intrusive (Guess et al., 1987), that is, they involve physical or psychological restriction/discomfort, such as seclusionary timeout (Costenbader & Reading-Brown, 1995).

The Utah State Office of Education (USOE) has developed the Least Restrictive Behavioral Interventions (LRBI: USOE, 1993). LRBI, which is now quite familiar to many educators and parents throughout Utah, is USOE's policy, or standard, in response to the nationwide regulatory movement for behavioral intervention procedures. As described in the LRBI policy:

"Litigation, due process hearings, ethical complaints, and complaints of human rights violations are on the rise. Protecting student's rights, one's professional reputation, financial resources and one's job, if a complaint arises, can be very expensive in time, dollars, and peace of mind."

Therefore, all educators must rigorously monitor their behavioral intervention procedures, continuously evaluate what they do and what the alternatives might be, and remain keenly aware of their state's standards. We surveyed state departments of special education nationwide to identify current standards on behavioral intervention procedures, including those procedures considered aversive. This survey was a follow-up to one conducted a few years ago (Morgan et al. 1991). In this article, we describe how standards from other state departments compare to Utah's LRBI standard.

Method

We contacted 50 state departments of education and requested standards on use of behavioral intervention procedures for students in general and/or special education. The standards were coded according to (a) types of interventions identified (e.g., time-out, response cost); (b) descriptions of monitoring activities for interventions (e.g., human rights committees) and prohibited intervention; (c) staff training requirements; and (d) specific information in selected standards. "Decision models" used for selecting interventions were also examined. These models involve deciding which interventions to use based on a functional analysis, hierarchies (i.e., level systems), or lists of potential interventions for specific target behaviors. The first and second authors independently coded 11 standards (27% of the total) to assess "inter-coder" agreement. Agreement across standards averaged 88.6%.

Results and Discussion

Forty-one of 50 states sent information (return rate equaled 82%). Fourteen departments sent letters indicating that they had no standards on this

topic or that responsibility for standards had been delegated to local districts. Standards from 27 state department identifying behavioral intervention procedures (66% of total standards received) were examined.

LRBI identified 18 "preliminary" strategies for avoiding challenging behaviors and proactively planning a student's program. These strategies ranged from general essentials (e.g., staff training) to assessment procedures (e.g., functional analysis). The LRBI document listed 57 different behavioral intervention procedures arranged into four levels. The levels, "positive interventions" (Level I), and "more intrusive interventions" (Levels II-IV), were differentiated according to whether prior approval was required from a human rights committee and/or an IEP Team. The LRBI document provided a definition of each (such as "negative practice overcorrection"), an example, cautions and potential problems, and possible side effects. LRBI further cautioned that interventions in Levels III and IV (moderately and highly intrusive ones, respectively) may be construed as "abusive" by an uninformed observer, or may evoke other problem behaviors such as aggression or withdrawal. Two other state departments sent intervention hierarchies, or "level systems" (Arizona and Iowa). The authors are aware that four nonrespondent states (Connecticut, Michigan, North Dakota, and Vermont) also have level systems.

Behavioral Procedures Identified

Eighteen of 27 standards (67%) from U.S. state department identified aversive behavioral procedures, and 11 of 27 (41%) identified procedures based on positive reinforcement. LRBI identified more behavioral intervention procedures than the other standard

surveyed. Standards varied widely in their descriptions and examples of different intervention procedures, although LRBI was clearly one of the most detailed and succinct.

Monitoring Activities for Behavioral Intervention

Monitoring activities were evaluated based on whether prior approval was required from parents/guardians, the student, IEP teams, and human rights committees. Fourteen of the 18 standards that identified aversive procedures (78%) required prior approval of some interventions by parents/guardians/students. Thirteen of 18 (72%) required approval from an IEP team. Seven of 18 (39%) required approval by a human rights committee. LRBI requires prior approval of Levels II-IV interventions from the IEP team (including a parents/guardian), and prior approval of Levels III and IV interventions from human rights committees. For example, food delay (a Level II intervention) required prior approval from the IEP teams, but not a human rights committee. However, seclusionary time out (in a supervised, enclosed room: a Level III intervention) required approval from all of the above sources. LRBI required both local and state human rights audits for Levels III and IV interventions.

State standards approached issues of prior approval or prohibition of specific behavioral interventions in highly variable ways. One procedure (sensory extinction, or visual screening) required no approval in Iowa, prior approval in Utah, and was prohibited outright in California and Minnesota. Yet, this procedure was defined in similar ways in each of the state standards. Generally, interventions to increase behavior (i.e., those using positive reinforcement) required no prior approval in some states, and interventions to decrease behavior required prior approval in some states, and interventions to decrease behavior required prior approval from one or more sources. However, for eight interventions (e.g., differential reinforcement, modeling, response cost,

extinction, nonexclusion time-out, token reinforcement, contingent observation of activities, exclusion time-out in a non-enclosed area, and sensory extinction) standards differed regarding prior approval requirements. For particular interventions, including some of those listed above (e.g., food delay, application of aversive stimuli, mechanical restraint, sensory extinction, isolation time-out, over correction), some standards required prior approval while others prohibited their use. The most commonly prohibited procedures were isolation time-out and application of aversive stimuli, such as water spray applied to the face for self-injurious behavior.

Staff Training

Staff training was addressed in 10 of 27 standards (37%) that identified behavioral intervention procedures. Most standards recommended that training be conducted before carrying out behavioral interventions, particularly those considered intrusive. Currently under development, Utah's statewide LRBI training is based on videotapes and implementation checklists. The checklist include step by step implementation procedures and the complimentary video tapes provide additional guidance and clarification related to the use of each procedure. Inservice training is conducted by the Utah Learning Resource Center (ULRC) geared for staff who work with students of different age groups as well as parents, administrators and members of human rights committees. Other state departments published guidelines for staff training (e.g., Arizona, Georgia, Iowa), but none appeared as extensive as training materials being developed in Utah.

Specific Information in Selected Standards

Other noteworthy information was identified in some state department standards, including the following:

1. The Arizona guidelines for implementing state standards included tips on classroom management, work sheets for detecting the functions of behaviors, data sheets

for recording behaviors, a form for identifying positive reinforcers and specific guidelines for use of different behavioral procedures.

2. The California standards, like many others, required that interventions be described and included in a student's IEP. A behavioral plan in the IEP was monitored by a "behavioral intervention case manager" (e.g., trained teacher, school psychologist). A special education local planning area (SELPA) team developed lists of approved behavioral interventions should emergencies arise, then reviewed the reports of emergencies submitted by behavioral intervention case managers. A functional analysis in California was considered an assessment requiring parental notice, consent, and standard legal safeguards based on Public Law 94-142 mandates.
3. The Georgia standards included a checklist for a teacher or other personnel to record proactive intervention procedures used for preventing misbehavior, and for responding to crises.
4. The Minnesota standards required that persons knowledgeable in customs and cultural issues of students of diverse ethnic membership participate on "independent review committees" that examined behavioral interventions.

Results show that 67% of the standards surveyed identified and regulated behavioral interventions. In comparison to standards nationwide, Utah's LRBI standard is clearly among the most lengthy, comprehensive, and detailed. While LRBI's committee review activities and paperwork are extensive, we found them less cumbersome, and presumably, more efficient than standards submitted by some states. Shear length and detail seem less important, however, than how quickly needed interventions can be applied by trained staff, and how assiduously the student's rights are safeguarded. These questions are currently being addressed as LRBI procedures are implemented in Utah's schools.

References available upon request from the ULRC.